

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *[Signature]* DG
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LECTROLARM CUSTOM
SYSTEMS, INC.,

Plaintiff,

v.

VICON INDUSTRIES, INC., et al.,

Defendants.

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

NO. 03-2330 Ma/An

**ORDER DENYING SENSORMATIC'S CROSS MOTION FOR
A PROTECTIVE ORDER**

Before the Court is Sensormatic's Cross Motion for a Protective Order Accompanying its Response to Plaintiff's Motion to Compel filed on May 31, 2005. For the reasons set forth below, the Motion is **DENIED**.

In the instant Motion, Sensormatic requests that the Court "enter a protective order declaring that fact discovery with respect to Sensormatic is closed." (Cross Mot. for Prot. Order, at 2). The Court, however, is not prepared to enter such an Order at this time. The Undersigned recently entered an Order stating that "the deadlines for expert disclosures, dispositive motions, disclosure of witnesses and exhibits, and motions and limine should be stayed" until Judge Mays either renders a Claim Construction decision or instructs the parties to proceed with pre-trial deadlines. *See Lectrolarm Custom Systems, Inc. v. Vicon Industries, Inc.*, Order (W.D. Tenn. Aug. 1, 2005). Additionally, the parties have been given additional time to conduct Rule 30(b)(6) depositions. Therefore, while some discovery may indeed be closed, the Court is not

prepared to enter a Protective Order closing all discovery with respect to Sensormatic. For these reasons, the Cross Motion for Protective Order is **DENIED**.

IT IS SO ORDERED.


S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE

Date: August 30, 2005



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Honorable Samuel Mays
US DISTRICT COURT